

FORM PTO-1390 (Modified)  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**  
**CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

219-04

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

**10/511260**

INTERNATIONAL APPLICATION NO.

**PCT/FR03/01195**

INTERNATIONAL FILING DATE

**15 April 2003**

PRIORITY DATE CLAIMED

**15 April 2002**

TITLE OF INVENTION

**LIQUID COMPOSITIONS FOR SOFT CAPSULES WITH EXTENDED RELEASE AND MANUFACTURING METHOD**

APPLICANT(S) FOR DO/EO/US.

**Laurence Paris**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV281504616US**
23. ☐ Other items or information:

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) <b>10/511260</b>	INTERNATIONAL APPLICATION NO. <b>PCT/FR03/01195</b>	ATTORNEY'S DOCKET NUMBER <b>219-04</b>
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24. The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1080.00</b> <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>	
				<b>\$920.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				<b>\$0.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	40 - 20 =	20	x \$18.00	<b>\$360.00</b>	
Independent claims	2 - 3 =	0	x \$86.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1,280.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$640.00</b>	
<b>SUBTOTAL =</b>				<b>\$640.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 +				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$640.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$640.00</b>	
				<b>Amount to be: refunded</b>	<b>\$</b>
				<b>charged</b>	<b>\$</b>

- a. ☒ A check in the amount of **\$640.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **16-0750**
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Alex R. Sluzas

Paul & Paul  
2900 Two Thousand Market Street  
Philadelphia, PA 19103  
(215) 568-4900

Order No. 2644

  
SIGNATURE

Alex R. Sluzas

NAME

28,669

REGISTRATION NUMBER

October 14, 2004

DATE

DT03 Rec'd PCT/PTO 14 OCT 2004

PATENT

## IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In re patent  
appln. of: Laurence Paris

Serial No.: Not yet assigned

Filed: Herewith

Based on: PCT/FR03/01195

International  
Filing Date: April 15, 2003

For: **LIQUID COMPOSITIONS FOR  
SOFT CAPSULES WITH  
EXTENDED RELEASE AND  
MANUFACTURING METHOD**

Examiner: Not yet assigned

GAU: Not yet assigned

Attorney  
Docket No.: 219-04

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

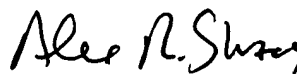
## Certificate of Mailing by Express Mail

"Express Mail" Mailing Label No.  
EV281504616US

Date of Deposit: October 14, 2004  
I hereby certify that this paper or fee and the papers  
indicated as being transmitted therewith are being  
deposited with the United States Postal Service as  
"Express Mail Post Office to Addressee" in an  
envelope addressed to:

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Alex R. Sluzas  
(type or print name of person making deposit)



Signature of person making deposit.

## EXPRESS MAIL COVER LETTER

Sir:

Please find enclosed the following documents for filing in the U.S. Patent and Trademark Office pursuant to 37 U.S.C. 371:

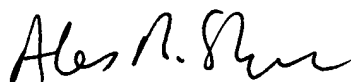
1. This Express Mail Cover Letter (in duplicate);
2. Application Data Sheet;
3. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 37 U.S.C. 371 (in duplicate);
4. Published International Application WO03/086368 A1 (French), including translation of International Search Report (English) and International Search Report (French);
5. Request (4 pages, French);
6. Specification (15 pages, English translation), claims (3 pages, English translation), text on drawings (1 page, English translation); drawings (informal, two sheets, English translation of text);

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7. International Preliminary Examination Report (English translation);
8. Preliminary amendment;
9. Declaration and Power of Attorney (unexecuted);
10. Information Disclosure Statement, including Form 1449 with copies of cited art;
11. Check in the amount of \$640.00 in payment of the filing fee;
11. Acknowledgement post card to be date-stamped and returned to Paul & Paul.

No additional fee is believed to be required. In the event, the Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment, to Paul & Paul Deposit Account No. 16-0750, Order No. 2644.

Respectfully submitted,



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Alex R. Sluzas  
Registration No. 28,669

**Customer No. 27569**  
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Philadelphia, PA 19103  
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October 14, 2004

Order No. 2644